

ORIGINAL

FILED

July 13 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. DA 10-0230

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Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

LEE WISER and CHARLES
CONLAN,

Appellants,

v.

**MOTION FOR EXTENSION OF
TIME TO FILE OPENING BRIEF**

MONTANA BOARD OF
DENTISTRY,

Appellees.

COME NOW Appellants, pursuant to Rule 26 of the Montana Rules of Appellate Procedure, and move the Court for an extension of time to and including September 10, 2010, to file their Opening Brief. In support of this motion, Appellants submit the following:

a. On June 23, 2010 the final documents were submitted from District Court giving Appellants 30 days thereafter to file their Opening Brief, making the current deadline July 23, 2010.

b. Appellants have not asked for or received an extension in this matter prior to this motion.

c. The reason Appellants are requesting this extension to September 10, 2010 is counsel for Appellants has a 3-week trial beginning July 19, 2010, which requires much preparation before and all his time during. Then following the trial Appellants counsel is scheduled for family time, meaning he could not start the Brief until late in August.

d. Opposing counsel has been contacted and has informed Appellants' counsel they do object to this motion.

For the reasons set forth above, Appellants respectfully request the Court grant an extension of time up to and including September 10, 2010, in which to file their Opening Brief.

Dated this 12th day of July, 2010.

REYNOLDS, MOTL & SHERWOOD, PLLP

By 

Jonathan R. Motl

Attorney for Appellants

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July, 2010, I served a true and accurate copy of the foregoing document as follows:

Thomas G. Bowe
Assistant Attorney General
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1712 Ninth Avenue
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Attorney for Appellees

By   _____